

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VIKTOR GRUNBAUM,

Plaintiff,

CIVIL ACTION NO. 10-CV-10147

vs.

DISTRICT JUDGE GERALD E. ROSEN

**DISTRICT DIRECTOR, USCIS
DETROIT,**

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION TO AMEND COMPLAINT
(DOCKET NO. 28)

This matter comes before the Court on the Motion to Amend Complaint filed by Plaintiff Viktor Grunbaum on October 14, 2010. (Docket no. 28). Defendant has not filed a response to the motion and the time for responding has now expired. All pretrial matters have been referred to the undersigned for action. (Docket no. 6). The Court dispenses with oral argument pursuant to E.D. Mich. LR 7.1(f). The motion is now ready for ruling pursuant to 28 U.S.C. § 636(b)(1)(A).

Plaintiff filed a Complaint for Mandamus on January 13, 2010 seeking an order compelling the District Director of the United States Citizenship and Immigration Services to adjudicate his application for naturalization. (Docket no. 1). On June 29, 2010 Defendant issued its decision upholding the denial of Plaintiff's application for citizenship on the grounds that Plaintiff failed to meet the general eligibility and good moral character requirements for naturalization based on a demonstrated lack of reform from his previous criminal behavior. (Docket no. 20, Ex. A). Plaintiff now moves for leave of Court to amend his Complaint to challenge the Defendant's decision to deny his naturalization application. Federal Rule of Civil Procedure 15(a)(2) requires the Court to "freely

give leave when justice so requires.” The Court will grant Plaintiff’s motion pursuant to Rule 15(a)(2).

IT IS THEREFORE ORDERED that Plaintiff’s Motion to Amend Complaint (docket no. 28) is **GRANTED**.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of fourteen days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: October 29, 2010

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Viktor Grunbaum and Counsel of Record on this date.

Dated: October 29, 2010

s/ Lisa C. Bartlett
Case Manager